

Docket: 71179US04

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sheppard et al.

Serial No.: 10/645,734

Group Art Unit: 1625

Filed: August 21, 2003

Examiner: Taylor V. Oh

For: PROCESS FOR THE OXIDATIVE PURIFICATION OF
TEREPHTHALIC ACID

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Commissioner for Patents
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Response Under 37 C.F.R. § 1.111

This reply is in response to the Office Action mailed on November 30, 2004, and the period for response is set to expire on February 28, 2005. The following remarks are respectfully submitted. Reconsideration of the claims is respectfully requested.

Issue III: Obviousness Rejection (35 U.S.C 103)

Claims 1, 3-16, 18-22, and 23-26 were rejected as being unpatentable over Scott et.al. (U.S. 4,158,738) in view of Zeitlin et.al. (U.S. 5,095,146). Applicants wish to respectfully rebut the rejection for reason that the examiner has not established a *prima facie* case of obviousness.

Applicants would like to respectfully point out that in order for the examiner to establish a *prima facie* case of obviousness, three basic criteria must be met. First,